

Date: February 11, 2016  
Time: 6:30 p.m.  
Place: Willard City Hall, 80 W 50 S, Willard, UT 84340  
Attendance: Mayor Kenneth Braegger, Council members Robert Beebe, Del Fredde, Mike Crossley, Josh Braegger, and Jared Profaizer; City Recorder Teri Fellenz, City Planner Bryce Wheelwright

Excused: Council member Josh Braegger

Others: (see attached for others)

**1. Call to Order**

- a. Invocation
- b. Pledge of Allegiance

**2. Open Comment Period** (Individuals have three minutes for open comments. If required, items may be referred to department heads for resolution. Items requiring action by the City Council will be placed on the agenda for a future meeting.) There was no public comment.

**3. Public Hearing** - The hearing will be to take public comment on the proposed changes to the Willard City Future Land Use Map to incorporate a Commercial Neighborhood Zone along Hwy 89 from 1450 North to the south City limits and 220 ft. east and west of said corridor.

City Planner Bryce Wheelwright explained the area involved and that it involved the Future Land Use Map for potential rezone of the area for light commercial.

Resident Mike Grimes asked about people doing business such as selling cars along Highway 89 and if they have business licenses. He stated for the last 20 years he has watched people from places like Roy leave cars along the road. He said he has called the numbers on the cars and the people are not from the community. He also explained a situation with his business where a customer dropped off a U-Haul alongside the road and he was not able to be there right away and it was ticketed. He also asked about businesses in residential neighborhoods where they are doing internet businesses and if they are required to have tax licenses and business licenses. He stated he does not want to discriminate against anyone, just make sure there are ground rules.

Dave Call asked what happened to the commercial area that was along highway 89 and stated at one time it was commercial.

Bert Lammert asked what it would do to their taxes. Mayor Braegger stated it should not change their taxes unless they apply for and are approved for a rezone.

Alex Dubovic asked if there could be stronger enforcement for those coming in from other areas selling vehicles. A brief discussion was held on enforcement constraints if the vehicle is on private property.

Helen Jane Lemon stated in the Planning Commission Meeting there were some residents on the north end that felt they were excluded and asked why they were not included. Police Chief Jean Loveland stated that UDOT requested the area not be included due to Hargis Hill and the inability to see oncoming traffic.

Mayor Braegger asked if there were any additional questions or if there were any comments. There were no comments and Mayor Braegger asked for motion to close the public hearing.

Council member Fredde made a motion to close the public hearing, seconded by Council member Crossley. The motion carried with a unanimous vote and the public hearing closed at 6:43 p.m.

#### 4. Business

##### a. Planning Commission Report

- 1) Consideration of Ordinance 2016-A, ADOPTING PROPOSED CHANGES TO THE FUTURE LAND USE MAP TO ADD A COMMERCIAL NEIGHBORHOOD ZONE, 220 FEET EAST AND WEST ALONG MAIN STREET (HIGHWAY 89) FROM 1450 NORTH TO THE SOUTH CITY LIMITS

***Council member Fredde made a motion to approve Ordinance 2016-A, ADOPTING PROPOSED CHANGES TO THE FUTURE LAND USE MAP TO ADD A COMMERCIAL NEIGHBORHOOD ZONE, 220 FEET EAST AND WEST ALONG MAIN STREET (HIGHWAY 89) FROM 1450 NORTH TO THE SOUTH CITY LIMITS. The motion was seconded by Council member Beebe and the motion carried.***

***Council member Beebe – yes  
Council member Profaizer – yes***

***Council member Crossley – yes  
Council member Fredde- yes***

- 2) Report on other items.

- b. Bryce Wheelwright - Request for approval of \$6,172 from the Parks Improvements fund in Capital Improvements for matching funds for \$85,000 CMAQ Grant for crosswalk improvements at 200 W and 750 N. City Planner Bryce Wheelwright explained when the Council voted to go with the Wasatch Front Regional Council Metropolitan Planning Organization over the Cache MPO, there were some funds that were left for active transportation projects for non-motorized vehicles. He stated he applied for a grant for a lighted crosswalk at 200 West across SR 315 (750 North). He stated it requires a match of \$6,172 from the City. Chief Loveland asked what happens if they approve the grant and UDOT does not approve the crossing. Bryce explained they are working on the feasibility study. Resident Bert Lammert asked what the crosswalk entails. Bryce explained that it would include an early warning light.

***Council member Beebe made a motion to approve \$6,172 from the Park funds in Capital Improvements. The motion was seconded by Council member Crossley and the motion carried.***

***Council member Beebe – yes  
Council member Profaizer – yes***

***Council member Crossley – yes  
Council member Fredde- yes***

- c. Discussion and decision on a Conflict of Interest waiver by Willard City requested by Call Law Office. City Attorney Kevin McGaha explained the request from Jonathan Call, an attorney with Anderson, Call and Wilkinson, P.C. has been approached to be Perry City's Attorney. He has requested a waiver of conflicts of interest from Willard City because the firm he works for also employs his father Craig Call who was the mediator in the recent attempt of mediation between Perry City and Willard City. Attorney McGaha stated Perry currently does not have an attorney and this would be the third or fourth in about 2 years. He also explained if the waiver were granted by Willard City they could not use Craig Call for future mediation. He also noted there was nothing confidential divulged in the mediation process and recommended the waiver. The 3 options were discussed.

***Council member Crossley made a motion to approve option 2 granting the waiver. The motion was seconded by Council member Beebe and the motion carried.***

***Council member Beebe – yes  
Council member Profaizer – yes***

***Council member Crossley – yes  
Council member Fredde- yes***

- d. Consideration of Resolution 2016-1 a RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE LEASE OF CITY PROPERTY HOUSING A CELLULAR TOWER AND EQUIPMENT. Council member Braegger has been heading up negotiations on the lease issue.

***Council member Crossley made a motion to table the item until the next meeting, seconded by Council member Fredde. The motion carried.***

***Council member Beebe – yes  
Council member Profaizer – yes***

***Council member Crossley – yes  
Council member Fredde- yes***

- e. Discussion and approval of Council Member Department and Board Assignments. It was noted that Mayor Pro-tem was inadvertently left off of Council member Crossley's assignments

***Council member Beebe made a motion to add the assignment of Mayor Pro-tem to Council member Crossley's assignments. The motion was seconded by Council member Fredde and the motion carried.***

***Council member Beebe – yes  
Council member Profaizer – yes***

***Council member Crossley – no  
Council member Fredde- yes***

A discussion was held on Youth Baseball and Mayor Braegger suggested Council member Braegger continue working with the Youth Baseball and Mayor Braegger stated he would handle the Founder's Day Celebration.

***Council member Beebe made a motion to approve the Council member assignments for 2016 with the discussed changes. The motion was seconded by Council member Profaizer. The motion carried.***

***Council member Beebe – yes***

***Council member Crossley – yes***

**Council member Profaizer – yes****Council member Fredde- yes**

- f. Approval of minutes: The minutes of the January 28, 2016, meeting were individually reviewed.

***Council member Crossley made a motion to approve the minutes as written, with a second by Council member Beebe. The motion carried with a unanimous vote.***

- g. Financial – The vouchers and warrants were presented to the Council for approval. The reports were individually reviewed.
- 1) Warrants
  - 2) Vouchers
  - 3) Reports

## **5. Department Reports**

### **a. Maintenance Department**

- 1) Request for approval to purchase new front tires for snow plows – Maintenance Supervisor Doug Thompson presented a bid for new front tires for both of the snow plows. He stated when the back tires were replaced on the newer truck they were going to sipe the front tires for traction. When they looked at them they determined the tires were 16 years old and for safety purposes they suggested they be replaced. The quote for replacement is \$1381.28 for both trucks.

***A motion was made by Council member Beebe to approve \$1381.28 for the replacement of the tires. The motion was seconded by Council member Fredde and the motion carried.***

**Council member Beebe – yes****Council member Crossley – yes****Council member Profaizer – yes****Council member Fredde- yes**

- 2) Request for approval of generator repairs. Doug then reported the battery for generator at the lift station is not charging and the charger needs to be replaced. He is waiting for a quote from Smith Power. The Council will review the quote when he receives it.
- 3) Consideration of Resolution 2016-2 APPROVING THE WILLARD CITY 2016 UPDATED SOURCE PROTECTION PLAN FOR SUBMISSION TO THE DIVISION OF DRINKING WATER. Doug then reported on the update of the Water Source Protection Plans. He stated it is required for 2016 and the RWAU Circuit Riders helped with the update in lieu of spending thousands of dollars to have an engineering firm look at it. The plan does not change, and there will be some letters sent to property owners in the protection area.

***Council member Fredde made a motion to approve Resolution 2016-2, seconded by Council member Crossley. The motion carried.***

**Council member Beebe – yes****Council member Crossley – yes****Council member Profaizer – yes****Council member Fredde- yes**

- b. Police Department – Chief Jean Loveland presented the attached report for the department. She stated they will begin work on I-15 on the 29<sup>th</sup> of February and a meeting will be held by UDOT on February 17<sup>th</sup> with updates. Chief Loveland then stated she would be getting quotes to possibly rotate one of the vehicles while there is still a higher trade in value. Mayor Braegger stated how much they appreciate Chief Loveland and the Police Department.
- c. Fire Department – Chief Van Mund stated they are having several training classes including driving classes for the fire trucks, a hazmat class and Firefighter 1 & 2 classes.

#### **6. Council members**

- a. Robert Beebe – Reported there will need to be a discussion in the near future about rocks along the face of the retention pond.
- b. Mike Crossley
- c. Del Fredde – Requested they look into getting 2-3 manuals for the NIMS Training. Mayor Braegger asked Bryce Wheelwright to look into it.
- d. Josh Braegger
  - 1) Willard Creek Nature Park and Debris Basin – Review of RFP results for landscaping architect and possible award.
- e. Jared Profaizer

#### **7. Mayor's General Correspondence and Information**

- a. NIMS training – February 20, 2016 Elwood Town Hall – 9 a.m.-noon – Council members Fredde, Crossley and Beebe stated they would be attending.
- b. 4<sup>th</sup> of July – Skydivers – Mayor Braegger stated they have received a quote from the Skydivers for this year of \$1,000. They have been charging \$800. A brief discussion was held.

***Council member Fredde made a motion to approve \$1000 for the skydivers for the 2016 4<sup>th</sup> of July celebration. The motion was seconded by Council member Profaizer. The motion carried with a unanimous vote.***

- c. \*Request for Council Decision to allow Granite Construction to take exploratory soil samples from the city property (parcel 02-06-0020) located east of the gravel pit owned by Wells Brothers Investments. Mayor Braegger stated he was approached by Granite construction with a request to allow them to dig some core holes to determine what type of soil is on the City property. They would like to research what might be available and possibly offer a bid to the City. A discussion was held.

***Council member Fredde made a motion to allow Granite Construction to dig test holes on the City property, seconded by Council member Beebe. The motion carried.***

***Council member Beebe – yes  
Council member Profaizer – yes***

***Council member Crossley – yes  
Council member Fredde- yes***

- d. \*Discussion/decision on use or rental of Willard Water Irrigation Shares – Mayor Braegger explained the City has irrigation shares from the Willard Water Company and for the past couple of years Roger Wells has been renting them for the cost of the annual assessment. A discussion was held and Council member Crossley stated he knows of others that might be interested. Mayor Braegger stated the shares might not be able to be transferred to all the ditches and it would be the bidder's

responsibility to check with the irrigation company.

***Council member Fredde made a motion to put the shares out for bid to rent for the 2016 season at a minimum bid of \$95.00 and the bidder is responsible for checking to make sure the shares can be transferred to the desired ditch. The motion was seconded by Council member Crossley and the motion carried.***

***Council member Beebe – yes***

***Council member Profaizer – yes***

***Council member Crossley – yes***

***Council member Fredde- yes***

- 8. Adjourn: A motion was made by Council member Crossley to adjourn, seconded by Council member Fredde, motion carried. The meeting adjourned at 7:30 p.m.**

Minutes were read individually and approved on February 25, 2016.